

Court of Appeals, State of Michigan

ORDER

Nicole Storm v David Bryant MD

Docket No. 266581

LC No. 03-328518-NH

Karen M. Fort Hood
Presiding Judge

Kurtis T. Wilder

Kirsten Frank Kelly
Judges

The Court orders, pursuant to MCR 7.205(D)(2), that the September 25, 2006, order of the Wayne Circuit Court granting summary disposition to defendant St. Joseph Mercy Hospital, Oakland, hereby is VACATED. The case is REMANDED to the circuit court for it to consider the reasonableness of plaintiff's counsel's belief that the affidavit of merit was sufficient in light of *McElhaney v Harper-Hutzel Hosp*, __ Mich App __ (Docket No. 254376, issued 01/19/06).

The Court retains no further jurisdiction. This order is to have immediate effect, MCR 7.215(F)(2).

Presiding Judge



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 31 2006

Date

Sandra Schultz Mengel
Chief Clerk